

AUG 31 2007

JOHN F. GORCORAN, CLERK
BY:  DEPUTY CLERK

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

GEORGE M. THOMPSON,

Plaintiff,

SUSSANNE NEEB, et al.,

Defendants.

Civil Action No. 7:07cv00092

FINAL ORDER

By: Hon. Jackson L. Kiser
Senior United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

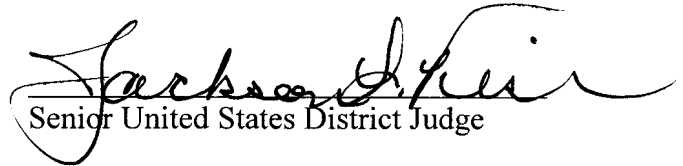
ADJUDGED AND ORDERED

that Defendants' Motion to Dismiss all claims against Defendant McEathron (Dkt. No. 25), shall be and hereby is **GRANTED**; and all claims against Defendant McEathron are hereby **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915A(b)(1), for failure to state any actionable claim; Defendants' Motion to Dismiss is **DENIED** as to all other claims; accordingly, the claims against Defendant Neeb shall go forward and Defendant Neeb is hereby **DIRECTED** to file within thirty (30) days from entry of this Order a supplemental Motion for Summary Judgment, supported by affidavit(s), addressing issues including, but not limited to, the following:

- (a) Plaintiff's medical records and prescriptions, to be filed under seal;
- (b) Plaintiff's October 2006 blood test results and the results of any other tests that were provided during Plaintiff's incarceration at the Warren County Jail, to be filed under seal;
- (c) Documentary evidence outlining Plaintiff's treatment plan, to be filed under seal;
- (d) The rationale behind not ordering Plaintiff's HIV medications for several months.

The Clerk of the Court is directed to send a copy of this Order and Memorandum Opinion to Plaintiff and to counsel of record for the Defendants.

ENTER: This 31st day of August, 2007.


Senior United States District Judge